

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA No.1583 of 2013 (O&M)

Date of Decision: 19.03.2015

Rattan Singh

.....Appellant

Vs.

The State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR.JUSTICE P.B.BAJANTHRI**

Present:- Mr.Mehar Singh, Advocate for the appellant.

Mr.G.P.Singh, Advocate for the respondents.

SURYA KANT, J. (ORAL)

Learned Single Judge has vide order under appeal dated 16.07.2013 upheld the cancellation of allotment of 'evacuee land' made in favour of the appellant. Consistent finding of fact is that the evacuee land could not be allotted to appellant as he was entitled to seek allotment of *Nazool* land only.

In these circumstances, the appellant made an alternative prayer before this Court on October 6th, 2014 that let he be adjusted against some other land (not evacuee property), may be of inferior quality.

In deference to abovesaid order, Tehsildar Bassi Pathana, District Fatehgarh Sahib, has filed an affidavit to the effect that in case the appellant gives his consent, the competent authority is willing to allot him some other land of inferior quality wherever available.

Learned counsel for the appellant states that such a consent

affidavit shall be given by the appellant.

In this view of the matter, we dispose of this appeal, modifying the order of the learned Single Judge dated 16.07.2013 to the extent that while allotment of evacuee land has been rightly cancelled, the appellant shall be allotted alternative land on giving his consent for such allotment.

Let the needful be done within a period of 4 months from the date the appellant gives his consent and till such allotment takes place, the appellant shall not be displaced from the land in dispute.

(SURYA KANT)
JUDGE

19.03.2015
anil

(P.B.BAJANTHRI)
JUDGE